APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,127	10/30/2000	James P. Alexander	CA9200000 US1	8742

25259	7590	04/13/2006	**EXAMINER**	

IBM CORPORATION
3039 CORNWALLIS RD.
DEPT. T81 / B503, PO BOX 12195
REASEARCH TRIANGLE PARK, NC 27709

EXAMINER
NGUYEN, CHAU T

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 04/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/702,127	ALEXANDER ET AL.
	Examiner	Art Unit	
	Chau Nguyen	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 January 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐	Notice of References Cited (PTO-892)	4)☐	Interview Summary (PTO-413)
2)☐	Notice of Draftsperson's Patent Drawing Review (PTO-948)		Paper No(s)/Mail Date. _____ .
3)☐	Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5)☐	Notice of Informal Patent Application (PTO-152)
	Paper No(s)/Mail Date _____ .	6)☐	Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/24/2006 has been entered. Claims 1-18 are presented for examination.

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2.   Claims 1-18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims 1 and 12 contain subject matter "wherein the document messages transfer information about the back office system" and "wherein the method is adapted to process the document messages in an appropriate time sequence even if the timestamp of the previously received document message is more recent than the timestamp of the new inbound message" which were not described in the specification in such a way as to reasonably convey to one skilled

in the relevant art that the inventor(s), at the time the application was filed, had

possession of the claimed invention.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

4.   Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Chouinard, US Patent No. 6,671,701, Campbell et al (Campbell), US Patent No.

6,856,970, Brandt et al. (Brandt), US Patent No. 6,714,979, and further in view of Chen

et al. (Chen), US Patent No. 6,301,681.

5.   As to claims 1 and 8-12, Chouinard discloses a method of synchronizing

communications messages between a first back office system and a web-based

application in a computer network, wherein the first back office system comprises a first

back office database and a plurality of nodes for creating documents, the nodes

communicating with the first back office database, the documents each being identified

with a primary key code and a timestamp designating the time of creation of each

document, and the back office system generates document messages, the document

messages each comprising one of the documents and primary key code and timestamp

information for the one of the documents, the method comprising the steps of:

receiving in the web-based application a stream of the document messages from

the back office system, wherein the document messages transfer information about the

back office system (col. 3, line 57 – col. 4, line 55, col. 5, lines 11-22 and col. 7, lines

47-63: file server 106 acts as file manager (web-based application) receives, stores,

and transmits files of data (stream of document messages) between LAN members, and

data files created respectively at workstations 103 and 104 (back office system) may be

routed to file server 106, the files of data may be submitted and retrieved via an

application server then can be accessed by the user via the internet, the files of data

can be stored on database server such as an Internet-based);

operating the web-based application database to maintain inbound document

message information comprising primary key codes and said timestamps for selected

document messages previously received by the web-based application database

(Abstract, and col. 2, lines 14-44: a time and date stamp of the destination file is stored

in a database);

comparing the primary key code of a new inbound document message received

by the web-based application database with primary key codes maintained in the web-

based application database for the previously received document messages (Abstract

and col. 2, lines 14-44: for source files encountered for a second or subsequent time,

the date and time stamps of all of the source files are compared against the database

that contains file names, date and time information for destination files);

selecting a pair of corresponding document messages by identifying any one

previously received document message having a primary key code corresponding with

the primary key code of the new inbound message (col. 7, lines 12-32: detecting any

source files that are a newer version than the corresponding destination files);

identifying the more recent document message in the selected pair of

corresponding document messages by comparing the timestamp of the previously

received document message in the message pair with the timestamp of the new

inbound message in the message pair (Abstract, col. 2, lines 14-44 and col. 6, line 57 –

col. 7, line 32: detecting any source files that are a newer version than the

corresponding destination files); and

updating the web-based application database to record the inbound document

message information for the more recent document message, the unique inbound

document message; and the timestamps for the more recent and the unique inbound

document messages (col. 2, lines 14-44 and col. 7, lines 12-32: replacing the previous

time and date stamp in the database with the time and date stamp of the new

conversion and saving the updated destination file in the destination directory in place of

the previous destination file).

Chouinard discloses the files of data may be submitted and retrieved via an

application server then can be accessed by the user via the internet, the files of data

can be stored on database server such as an Internet-based (col. 3, line 57 – col. 4, line 55, col. 5, lines 11-22 and col. 7, lines 47-63). In addition, to support the teaching of "receiving in the web-based application a stream of the document messages from a first back office system, wherein the document messages transfer information about the first back office system for integrating the first back office system and the web-based application" more clear, Campbell provides financial institution clients with a single point of access, and clients can use a web-based workstation to interface with a plurality of back office system within one or more financial institutions (Abstract and col. 2, lines 21-63), and the web browser or workstation is readily capable of integration with a plurality of back-office systems in the financial institution (col. 8, lines 60-65). Campbell also discloses web server is operable to transmit data to and receive data from at least one user via a network interface (col. 2, line 64 – col. 3, line 15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Campbell and Chouinard to include receiving in the web-based application a stream of the document messages form the back office system, wherein the document messages transfer information about the first back office system for integrating the first back office system and the web-based application in order to eliminate the multitude of user interfaces and passwords and the management thereof.

However, Chouinard and Campbell do not explicitly disclose selecting a unique new inbound document message by identifying any new inbound document message with a primary key code which does not correspond to any of the primary key codes

maintained in the web-based application database. Brandt discloses a telecommunications data management/system architecture integrated with a novel Web/Internet based reporting system includes a file is read and compared to the NPA/NXX table and the country code, NPA, NXX, City Name, and State Name are used to see if that exact combination exists, and if it does not, then it will be added to the NPA/NXX table and added to the dimension add file (col. 3, line 60 – col. 4, line 23 and col. 17, line 51 – col. 18, line 6). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Brandt and Chouinard and Campbell to include selecting a unique new inbound document message by identifying any new inbound document message with a primary key code which does not correspond to any of the primary key codes maintained in the web-based application database. Brandt's data management system permits use of existing hardware while allowing further growth to utilize new equipment at less cost and further allows for incremental expansion as applications and database capacities.

However, Chouinard, Campbell and Brandt do not explicitly disclose wherein the method is adapted to process the document messages in an appropriate time sequence even if the timestamp of the previously received document message is more recent than the timestamp of the new inbound message. Chen discloses message priority 309 indicates the order in which messages are processed even the message has a message time stamp (col. 7, lines 20-39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of

Chen and Chouinard, Campbell and Brandt to include process the document messages in an appropriate time sequence even if the timestamp of the previously received document message is more recent than the timestamp of the new inbound message in order to provide faster data transfer.

6.   As to claims 2, 14 and 16, Chouinard, Campbell, Brandt and Chen disclose wherein the primary key comprises document type information and document identification information (Chouinard, col. 2, lines 14-44).

7.   As to claim 3, Chouinard, Campbell, Brandt and Chen disclose wherein the inbound document messages are communicated to an inbound queue prior to communication to the web-based application database (Chouinard, col. 4, lines 11-17).

8.   As to claims 4 and 13, Chouinard, Campbell, Brandt and Chen disclose wherein the inbound document messages are communicated to a multi-threaded inbound message processor prior to communication to the web-based application database (Brandt, col. 27, line 66 – col. 28, line 7: client is able to receive information on multiple threads to allow a high priority message to get through even if a lard download is in progress. The motivation for doing so is to support processing and storage of customer's data in a form suitable for expedient access and presentation as a report for customers over the World Wide Web/Internet).

9.   As to claim 5, Chouinard, Campbell, Brandt and Chen disclose wherein the

inbound document messages are generated by a multi-port message generator (Brandt,

col. 11, lines 6-27: The motivation for using multi-port message generator is to provide

process data or messages faster, more efficient and for load balancing).

10.   As to claim 6, Chouinard, Campbell, Brandt and Chen disclose logging an error

when a new inbound message in a selected of a corresponding document messages

does not have the more recent timestamp in the selected pair (Brandt, col. 7, lines 20-

24, col. 14, lines 45 – col. 5, line 20: The motivation for doing so is to support

processing and storage of customer's data in a form suitable for expedient access and

presentation as a report for customers over the World Wide Web/Internet).

11.   As to claim 7, Chouinard, Campbell, Brandt and Chen disclose identifying the

new inbound message in a selected pair of corresponding document messages which

does not have the more recent timestamp in the selected pair and segregating said new

message from further processing according to a predetermined process path (Brandt,

col. 15, line 51 – col. 16, line 7: for the purpose of support processing and storage of

customer's data in a form suitable for expedient access and presentation as a report for

customers over the World Wide Web/Internet).

12.   As to claims 15, 17 and 18, Chouinard, Campbell, Brandt and Chen disclose

wherein the document type information includes at least one of order confirmation, order

delivery, order invoice, product inventory updates, product price updates and customer

information updates (Campbell, col. 15, lines 50-62, col. 16, line 39 – col. 18, line 34: A

client file-imported transaction would have a unique reference number and transaction

type such as transaction confirmations or order or request. Campbell provides financial

institution clients with a single point of access, and clients can use a web-based

workstation to interface with a plurality of back office system within one or more financial

institutions (Abstract and col. 2, lines 21-63). Campbell also discloses web server is

operable to transmit data to and receive data from at least one user via a network

interface (col. 2, line 64 – col. 3, line 15). It would have been obvious to one of ordinary

skill in the art at the time the invention was made to combine the teachings of Campbell

and Chouinard to include a unique reference number and transaction type such as

transaction confirmations or order or request. Campbell's system teaches receiving in

the web-based application a stream of the document messages from the back office

system in order to eliminate the multitude of user interfaces and passwords and the

management thereof).

Response to Arguments

In the remarks, Applicants argued in substance that

Rejection of claims 1-18 under 35 U.S.C. §112, First Paragraph

In the remarks on page 11, Applicants pointed out in the specification on page 13, lines 6-16 "At a pre-schedule time, a batch job is run at the back office end of the system to collect all new and updated documents stored in the back office database. Assume that in this example, there are 600 document creation and update actions collected by this batch job at the pre-scheduled time and that there are three ports (Port#1, Port #2, Port #3) used to convert or generate messages to be sent out to the web-based application through the network." Applicants submit that the feature is supported by the specification and "the messages in the example are generated or converted from all new and updated document stored in the back office database (i.e., information about the back office system).

However, examiner disagrees with applicants' arguments. In the cited paragraph on page 13, all new and updated documents are stored in the back office database, but the new and updated documents do not contain any information about the back office system itself.

Applicants also pointed out in the specification, page 4, lines 10-16, which in the applicants' opinion, would support the cited limitation "wherein the method is adapted to process the document messages in an appropriate time sequence even if the timestamp of the previously received document message is more recent than the timestamp of the new inbound message." Examiner disagrees with that since the specification on page 4, lines 10-16 describes very broadly "the present invention uses a date and timestamp approach to synchronize the inbound message eliminating the

consistency problems arising from inbound messages being processed out of their

proper time sequence", while the claimed limitation is very narrow "wherein the method

is adapted to process the document messages in an appropriate time sequence even if

the timestamp of the previously received document message is more recent than the

timestamp of the new inbound message". Nowhere in the specification supports for the

above limitations, therefore, the examiner's still maintained the 112 rejections.

Rejection of claims 1-18 under 35 U.S.C. § 103(a)

A) The cited references fail to teach or suggest that the document messages

transfer information about the back office system for integrating the first back office

system and the web-based application.

In reply to argument A, Chouinard discloses in col. 3, line 57 – col. 4, line 55, col.

5, lines 11-22 and col. 7, lines 47-63: file server 106 acts as file manager (web-based

application) receives, stores, and transmits files of data (stream of document messages)

between LAN members, and data files created respectively at workstations 103 and 104

(back office system) may be routed to file server 106, the files of data may be submitted

and retrieved via an application server then can be accessed by the user via the

internet, the files of data can be stored on database server such as an Internet-based.

B) The cited references fail to teach or suggest that the method is adapted to

process the document messages in an appropriate time sequence even if the

timestamp of the previously received document message is more recent than the

timestamp of the new inbound message

In reply to argument B, Chen discloses message priority 309 indicates the order

in which messages are processed even the message has a message time stamp

(Chen, col. 7, lines 20-39).

C) The prior art fails to teach or suggest that the primary key comprises

document type information and document identification information.

In reply to argument C, Chouinard discloses in col. 2, lines 14-30 that a file name

(primary key) contains a particular format (document type) and date and time

information (document identification information).

D) The prior art fails to teach a primary key that is separate from the timestamp.

In response to applicant's argument that the references fail to show certain

features of applicant's invention, it is noted that the features upon which applicant relies

(i.e., a primary key that is separate from the timestamp) are not recited in the rejected

claim(s). Although the claims are interpreted in light of the specification, limitations from

the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26

USPQ2d 1057 (Fed. Cir. 1993).

E) There is no motivation to combine the Chouinard and Brandt references.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Chouinard discloses file server for receiving, storing, queuing and transmitting files of data between workstations and data files may be submitted and retrieved via an application server, which is similar to transmitting and receiving data between users and back-end server of Brandt, thus both Brandt and Chouinard are analogous arts. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Chouinard and Brandt since Brandt's data management system permits use of existing hardware while allowing further growth to utilize new equipment at less cost and further allows for incremental expansion as applications and database capacities.

F) Chouinard and Chen are in non-analogous fields of art.

In response to applicant's argument that Chouinard and Chen are nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the

claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Chouinard discloses file server for receiving, storing and transmitting files of data between workstations, which is similar to a method of communicating messages between a server a remote device of Chen, thus both Chouinard and Chen are analogous art.

Applicant's arguments and amendments filed on 01/24/2005 have been fully considered but they are not deemed fully persuasive. Applicant's arguments with respect to claims 1, 8 and 12 are substantially directed to the amended subject matter "wherein the document messages transfer information about the first back office system for integrating the first back office system and the web-based application" which have been considered but are moot in view of the same ground(s) of rejection as explained here above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The Examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chau Nguyen
Patent Examiner
Art Unit 2176

WILLIAM BASHORE
PRIMARY EXAMINER
4/11/2006